

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JAN 21 2022

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

RAYMOND C. GIVENS,

Plaintiff-Appellee,

BUREAU OF TRUST FUNDS
ADMINISTRATION, which on October 1,
2020, assumed responsibility for financial
operations functions previously performed by
the Office of the Special Trustee for
American Indians,

Appellant,

v.

WALLACE OENGA,

Defendant.

No. 20-36064

D.C. No. 3:19-cv-00043-HRH
District of Alaska,
Anchorage

ORDER

Before: TALLMAN and NGUYEN, Circuit Judges.

Appellee's application for attorney's fees and costs under the Equal Access to Justice Act ("EAJA") (Docket Entry No. 26) is denied. *See* 28 U.S.C. § 2412(a)(1) (providing for the award of fees and costs to the prevailing party in a "civil action brought by or against the United States").

Appellant's motion to voluntarily dismiss this appeal (Docket Entry No. 22) is granted.

All other pending motions are denied as moot.

DISMISSED.